

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 354 Ex.]

YEAS—89

Akaka	Dayton	Levin
Alexander	DeWine	Lott
Allard	Dodd	Lugar
Allen	Dole	McCain
Baucus	Domenici	McConnell
Bayh	Dorgan	Murray
Bennett	Durbin	Nelson (FL)
Bingaman	Ensign	Nelson (NE)
Bond	Enzi	Nickles
Boxer	Feingold	Pryor
Breaux	Feinstein	Reed
Brownback	Fitzgerald	Reid
Bunning	Frist	Roberts
Burns	Graham (SC)	Rockefeller
Byrd	Grassley	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Harkin	Schumer
Carper	Hatch	Sessions
Chafee	Hollings	Shelby
Chambliss	Hutchison	Smith
Clinton	Inhofe	Snowe
Cochran	Inouye	Stabenow
Coleman	Jeffords	Stevens
Collins	Johnson	Sununu
Conrad	Kennedy	Talent
Cornyn	Kohl	Thomas
Corzine	Kyl	Voinovich
Craig	Landrieu	Warner
Crapo	Lautenberg	Wyden
Daschle	Leahy	

NOT VOTING—11

Biden	Kerry	Miller
Edwards	Lieberman	Murkowski
Graham (FL)	Lincoln	Specter
Gregg	Mikulski	

The nomination was confirmed.

NOMINATION OF HENRY F. FLOYD, OF SOUTH CAROLINA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF SOUTH CAROLINA

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to consider the nomination of Henry F. Floyd, which the clerk will report.

The legislative clerk read as follows:

The nomination of Henry F. Floyd, of South Carolina, to be United States District Judge for the District of South Carolina.

The PRESIDING OFFICER. Under the previous order, there will be a period of 2 minutes of debate equally divided prior to the vote.

Mr. HOLLINGS. Mr. President, I rise to encourage my colleagues to vote for Henry Floyd to be a judge on the United States District Court for the District of South Carolina.

Judge Floyd is known throughout my State as a fine, fair, and even-handed jurist. There is no question a good judge has to possess a balanced judicial temperament. Judge Floyd showed as a State circuit court judge he is balanced. He has presided over complex class action litigation; felony criminal cases including capital murder cases; cases with difficult constitutional issues, and everything else like that. By all accounts, he has applied the law fairly, and the South Carolina Bar supports him.

This nominee also has a breadth of experience as a private practitioner,

representing civil and criminal clients in all sorts of matters; he was a lieutenant in the Army; and he was a South Carolina State legislator. He obviously is well qualified.

I think our colleagues on both sides of the aisle will find it refreshing to vote on a nominee who doesn't make us quarrel over religion, or advance any political agenda, and who answers our questions. For 37 years, Senator Thurmond and I practiced bipartisan cooperation in filling South Carolina's Federal bench. I thank Senator GRAHAM for continuing in this collegial tradition.

Mr. GRAHAM of South Carolina. Mr. President, Henry Floyd was the first person I thought of when a district court judgeship came open in South Carolina. I am pleased that the Senate has confirmed him today. Prior to becoming involved in politics, I had the good fortune of practicing before Judge Floyd on a number of occasions. He is the model of judicial temperament; learned, objective, and courteous.

A product of some of our State's finest educational institutions, Judge Floyd received his undergraduate degree at Wofford College and his law degree from the University of South Carolina. In 1992, after a decade of very successful private practice, he assumed the bench as a judge on the Thirteenth Judicial Circuit Court of South Carolina. Since that time, Judge Floyd has presided over several South Carolina's most controversial cases with skill and professionalism.

It was an pleasure to recommend Judge Floyd to President Bush. I wanted my first recommendation to be an example of how our judicial nominations process should work. We should seek only the best for the Federal judiciary. I believe my first recommendation fits that criterion.

I'm confident Judge Floyd will demonstrate the highest degree of professionalism and serve our State and Nation well. Judge Floyd has an exceptional legal mind, impeccable character, and a legacy of fair application of the law. He is a fine man and will be a great addition to the Federal bench. Mr. HOLLINGS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Henry F. Floyd, of South Carolina, to be United States District Judge for the District of South Carolina? On this question the yeas and nays have been ordered and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. I announce that the Senator from New Hampshire (Mr. GREGG), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Pennsylvania (Mr. SPECTER) are necessarily absent.

Mr. REID. I announce that the Senator from Delaware (Mr. BIDEN), the

Senator from North Carolina (Mr. EDWARDS), the Senator from Florida (Mr. GRAHAM), the Senator from Massachusetts (Mr. KERRY), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Arkansas (Mrs. LINCOLN), the Senator from Maryland (Ms. MIKULSKI), and the Senator from Georgia (Mr. MILLER) are necessarily absent.

I further announce that, if present and voting, the Senator from Massachusetts (Mr. KERRY) and the Senator from Arkansas (Mrs. LINCOLN) would each vote "yea".

The PRESIDING OFFICER (Mr. CHAMBLISS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 355 Ex.]

YEAS—89

Akaka	Dayton	Levin
Alexander	DeWine	Lott
Allard	Dodd	Lugar
Allen	Dole	McCain
Baucus	Domenici	McConnell
Bayh	Dorgan	Murray
Bennett	Durbin	Nelson (FL)
Bingaman	Ensign	Nelson (NE)
Bond	Enzi	Nickles
Boxer	Feingold	Pryor
Breaux	Feinstein	Reed
Brownback	Fitzgerald	Reid
Bunning	Frist	Roberts
Burns	Graham (SC)	Rockefeller
Byrd	Grassley	Santorum
Campbell	Hagel	Sarbanes
Cantwell	Harkin	Schumer
Carper	Hatch	Sessions
Chafee	Hollings	Shelby
Chambliss	Hutchison	Smith
Clinton	Inhofe	Snowe
Cochran	Inouye	Stabenow
Coleman	Jeffords	Stevens
Collins	Johnson	Sununu
Conrad	Kennedy	Talent
Cornyn	Kohl	Thomas
Corzine	Kyl	Voinovich
Craig	Landrieu	Warner
Crapo	Lautenberg	Wyden
Daschle	Leahy	

NOT VOTING—11

Biden	Kerry	Miller
Edwards	Lieberman	Murkowski
Graham (FL)	Lincoln	Specter
Gregg	Mikulski	

The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now resume legislative session.

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES APPROPRIATIONS ACT, 2004—Continued

The PRESIDING OFFICER. The Senator from Nevada.

AMENDMENTS NOS. 1734 AND 1739 AS FURTHER MODIFIED

Mr. REID. Mr. President, earlier today there were two modifications to amendments offered by the Democratic leader, Senator DASCHLE. Since placing those modifications at the desk, staff has discovered some clerical errors. I ask unanimous consent that amendments Nos. 1734 and 1739 be further modified with the changes I send to the desk.

The PRESIDING OFFICER. Without objection, it is so ordered.